

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2017 MAR -3 AM 10:34  
OFFICE OF THE CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:

Inspection of the workplaces  
located at and near

Case No. 17 MJ 15

COPY

5300 Custer Circle  
Lincoln, NE

and

5000 N. 72<sup>nd</sup>  
Lincoln, NE (outbuilding next to residence)

under the control or custody of

J C MANUFACTURING, LLC,  
d/b/a J & C COMPANY

**ADMINISTRATIVE SEARCH WARRANT**

TO: Jeff Funke  
Area Director  
Occupational Safety and Health  
Administration  
Omaha Area Office

Application having been made, and reasonable cause having been shown for the inspection of the workplaces described as J C Manufacturing, LLC, d/b/a J & C Company and located at 5300 Custer Circle, Lincoln, NE, and 5000 N. 72<sup>nd</sup>, Lincoln, NE (outbuilding next to residence).

IT IS HEREBY ORDERED that, pursuant to section 8(a) of the Occupational Safety and Health Act of 1970, 29 U.S.C. §§ 651-678, 657(a), YOU OR YOUR DULY DESIGNATED REPRESENTATIVES ARE AUTHORIZED to enter the above-described workplaces during regular working hours or at other reasonable times, to make an inspection and investigation of the following alleged violations:

Complaint Item	Location	Hazardous Condition	Applicable Standard
<b>LOCATION #1: 5300 Custer Circle, Lincoln, NE</b>			
1	Terminal Crimp Machine	Employees are exposed to amputation hazards from an unguarded crimping machine. Two employees smashed/crimped fingers in the terminal crimp machine.	29 CFR 1910.212 Machine Guarding
2	Carpenter Cutting Machine	Employees are exposed to amputations hazards from the carpenter cutting machine. One person cut tips of fingers off.	29 CFR 1910.212 Machine Guarding
3	Fire Extinguishers	Employees are exposed to burns fire hazards due to fire extinguishers that are not charged or have not been checked -no current tags.	29 CFR 1910.157
4	Power Junction Boxes at work stations	Employees are exposed to electrical shock hazards due to open junction power boxes providing wiring to work stations.	29 CFR 1910 Subpart S
5	Artos Machine and other wiring	Employees exposed to electrical shock from wiring on the Artos machine.	1929 CFR 1910 Subpart S
6	Emergency Exit Door	Employees were exposed to burns, fire and suffocation hazards due to not being able to get out because one emergency exit door won't open.	29 CFR 1910.36;and 29 CFR 1910.37
7	Compressor in Closet	Employees exposed to chemical exposure and possible fire and burns due to a compressor that gets very hot being located in a closet with chemicals that are not labeled.	29 CFR 1910.1200
8	Solder Wire Machine	Employees exposed to respiratory hazards due to a solder wire machine that smokes. Employees have experienced respiratory problems due to the smoke.	29 CFR 1910.134
9	Fork Lift	Fork lift unsafe – employees are exposed to struck by hazards due to	29 CFR 1910.178 and

Complaint Item	Location	Hazardous Condition	Applicable Standard
LOCATION #1: 5300 Custer Circle, Lincoln, NE			
		forklift leaking hydraulic fluid, the horn is not working and the brakes are not functioning and employees are exposed to injury from fork lift overturn due to the lack of a seat belt.	Section 5(a)(1) of the Act
LOCATION # 2: 5000 N. 72 <sup>nd</sup> , Lincoln, NE (Outbuilding)			
10	Exit to upper level where offices are located	Employees exposed to fire, burns and suffocation hazards in the event of an emergency because there is only one exit or entrance to upper level where offices are located. There is no exit if a fire was on stairs.	29 CFR 1910.36: and 29 CFR 1910.37
11	Unknown Fire extinguisher	Employees exposed to burns fire hazards due to lack of fire extinguisher.	29 CFR 1910.157
12	Electrical cords	Employees are exposed to electrical shock due to unsafe electrical cords.	29 CFR 1910 Subpart S
13	Material Storage	Employees are exposed to fire, burns and suffocation hazards due to excessive combustible material stored.	29 CFR 1910.22: 1910.106

Said inspection will also allow a review of all aspects of 29 C.F.R. 1910 Subpart N related to material or personnel handling motorized equipment, collect OSHA 300 data for the previous three years, and evaluate the employer's safety and health programs in accordance with the CPL 02-00-160, Field Operations Manual (FOM) (hereinafter CPL 02-00-160), and CPL 02-15-01B Region-wide Local Emphasis Program (LEP) for *Powered Industrial Trucks and Other Material or Personnel Handling Motorized Equipment in Construction, General Industry and Maritime*. All hazards in plain view will be addressed.

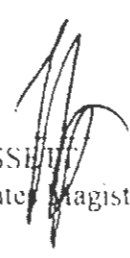
Said inspection to include all relevant records files and papers and all relevant work places or environments where work is performed by employees, and all pertinent

conditions, and circumstances, structures, machines, apparatus, devices, equipment, materials, processes, controls, and facilities and all other things therein including videotaping, the taking of photographs, environmental samples including the use of personal sampling equipment, and measurements, relating to the alleged violations, and to question privately any employee or agent, bearing on whether employees are being furnished employment and place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees, and whether there is compliance with the occupational safety and health standards promulgated under the Act.

You are hereby directed not to disclose any information obtained during the inspection which is designated to be a trade secret as defined by 18 U.S.C. § 1905, except that such information may be disclosed to other officers or employees concerned with carrying out the Act or when relevant in any proceeding under the Act.

A return shall be made to this Court showing that the inspection has been completed. The inspection authorized herein shall be initiated within 9 days, and a return shall be made to the Court within fourteen days following completion of the inspection.

DATED: 1/24/17

  
F. A. GOSSETT  
United States Magistrate Judge



RETURN OF SERVICE

I hereby certify that a copy of the within warrant was duly served on

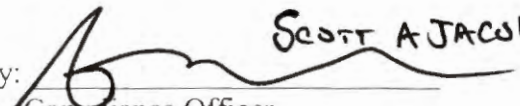
JANUARY 31, 2017, to the company named herein:

JC MANUFACTURING, LLC  
dba J&C Company  
\$300 Custer Ave + 5040 N 72nd St.  
LINCOLN, NE 68507

RETURN

I declare under penalty of perjury that the inspection of the workplaces described in  
this warrant was made on JANUARY 31, 2017

Date: JANUARY 31, 2017

By: SCOTT A JACOBSON  
  
Compliance Officer  
Occupational Safety and Health Administration  
United States Department of Labor